

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BABY DOE *et al.*,

Plaintiffs,

v.

MAST *et al.*,

Defendants,

and

UNITED STATES SECRETARY OF STATE

ANTONY BLINKEN *et al.*,

Nominal Defendants.

Civil Action No. 3:22-cv-49

FEDERAL DEFENDANTS' MOTION TO SEAL EXHIBIT A

Nominal Defendants the United States Secretary of State Antony Blinken and United States Secretary of Defense General Lloyd Austin ("Federal Defendants") move the Court pursuant to Local Civil Rule 9 for leave to file Exhibit A to the Declaration of Frank M. Branch ("Branch Decl.") under seal pending the Court's ruling on Federal Defendants' Motion to Seal Exhibit 6 to defendant Richard Masts' Memorandum in Opposition to Plaintiff's Motion for Protective Order (filed concurrently herewith at ECF 214). In support thereof, Federal Defendants state as follows:

The first page of Exhibit A to the Branch Declaration consists of the May 3, 2023 memorandum issued by the U.S. Department of Defense United States Central Command ("USCENTCOM") that is cited in the Branch Declaration. The remainder of Exhibit A consists of a version of R Mast's Exhibit 6 incorporating the redactions that

USCENTCOM determined would be necessary in any publicly-released version of Exhibit 6. The Court previously ordered Exhibit 6 to be “temporarily sealed pending filing of any motion to seal and until further Order of Court.” Oral Order of Mar. 22, 2023 [ECF 193]. Thus, consistent with the Court’s Order, Federal Defendants omitted those pages from their public filing and request that Exhibit A be filed under seal as their proposed redacted version of Exhibit 6. This limited relief is narrowly tailored and comports with the requirements of Local Civil Rule 9(b).

May 10, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS
Director, Federal Programs Branch

ANTHONY J. COPPOLINO
Deputy Director, Federal Programs Branch

/s/ Kathryn L. Wyer
KATHRYN L. WYER
Federal Programs Branch
U.S. Department of Justice, Civil Division
1100 L Street, N.W., Room 12014
Washington, DC 20005
Tel. (202) 616-8475
kathryn.wyer@usdoj.gov
Attorneys for Defendants